

USDC SCAN INDEX SHEET



COBB

DALTON

RCM

3:97-CV-00428

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CMP.

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2 LAW OFFICES OF THOMAS R. GILL
3 10455 Sorrento Valley Rd. Suite 203
4 San Diego, Ca 92121
5 (619) 286-9393

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8 Attorneys for Plaintiff

9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA

11 LORNA L. COBB, and GENE R. COBB,
12 husband and wife,

13 Plaintiffs,

14 v.

15 JOHN H. DALTON, in his
16 official capacity as
17 Secretary of the Navy.

18 Defendant.

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No. '97 CV 04288 (RBB)

COMPLAINT FOR DAMAGES AND
INJUNCTIVE RELIEF and

DEMAND FOR JURY TRIAL

Plaintiffs allege:

I

PARTIES, JURISDICTION AND VENUE

1. Jurisdiction is proper under 5 U.S.C. Section 703,
because an agency of the United States is a party.

2. Venue of this action is laid in this district under the
provisions of 5 U.S.C. Section 703.

3. Plaintiff, Lorna L. Cobb, is a natural person, and at
all times herein mentioned is a resident of the County of San

1 Diego, State of California. (All references herein to
2 "plaintiff" in the singular are solely to Lorna L. Cobb.)

3 4. Plaintiff, Gene R. Cobb, is a natural person, husband
4 of Plaintiff Lorna L. Cobb, and at all times herein mentioned is
5 a resident of the County of San Diego, State of California.

6 5. Respondent is sued in his official capacity as the
7 Secretary of the Department of the Navy, an agency of the United
8 States.

9 6. Plaintiff filed 7 separate administrative claims of
10 discrimination in 1995 and/or 1996. This action is a direct and
11 timely appeal with regards to all or part of 4 of those
12 administrative complaints:

13 A. The final decisions on administrative complaints 1
14 and 2 are not appealed herein as those decisions were issued over
15 a year ago (the facts referred to therein are, however, evidence
16 of a continuing pattern of discrimination).

17 B. No final administrative decision has been issued
18 with regard to administrative complaints 3, 4, 5, and 6; however,
19 more than 120 days have elapsed from the date the administrative
20 complaints were filed, and, therefore, pursuant to 29 C.F.R.
21 1614.310(g) the matters are now ripe for appeal to this Court.

22 C. Administrative complaint No. 7, concerned a
23 request for relief which has already been granted Plaintiff.
24 However, the facts surrounding that administrative complaint are
25 evidence of a continuing pattern of discrimination.

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II

GENERAL BACKGROUND FACTS

7. Plaintiff's career with the U.S. Government began on March 21, 1973 when she was hired by the Department Of The Navy as a Clerk Typist, GS-02.

8. On or about May 27, 1973, Plaintiff was promoted to the position of Clerk Typist, GS-03.

9. On or about January 20, 1974, Plaintiff was promoted to the position of Clerk Typist, GS-04.

10. On or about March 26, 1978, Plaintiff was promoted to the position of Secretary, GS-05.

11. On or about November 4, 1985, Plaintiff was reassigned to the position of Administrative Specialist, GS-07.

12. On or about March 1, 1987, Plaintiff was promoted to the position of Administrative Specialist, GS-09/10.

13. At all times mentioned herein, Plaintiff's performance in all of the aforesaid positions was fully satisfactory or better.

14. Beginning in or around 1987 and continuing through 1990, Plaintiff was repeatedly required to work with a disrupting co-worker. For years Plaintiff (and others) made various informal objections about the difficult and stressful working conditions engendered by this employee without the Navy taking any action.

15. Finally, on or about October 29, 1990, Plaintiff's superiors held a meeting with the co-worker to discuss the ongoing problems. Plaintiff's superiors required her to attend this meeting during which they allowed the co-worker to

1 embarrass, humiliate and berate Plaintiff.

2 16. That evening Plaintiff injured herself in her sleep -
3 she sustained a Temporal Mandibular Joint injury which was
4 diagnosed as being the result of stress brought on by the earlier
5 meeting and the workplace events preceding the same.

6 17. On or about December 5, 1990, Plaintiff submitted a
7 workers' compensation claim based on the aforesaid stress and
8 injury.

9 18. On or about December 23, 1992, Plaintiff tore the
10 cartilage in her right shoulder while at work which lead to
11 Plaintiff's submission of a second workers' compensation claim,
12 and to her being placed on temporary total disability.

13 19. After Plaintiff filed the two above referenced workers'
14 compensation claims and requested temporary total disability, her
15 employer entered into a continuous course of conduct of
16 discrimination and/or retaliation which lead to Plaintiff's
17 suffering more injuries, filing additional claims for workers'
18 compensation, filing of a grievance, EEO complaints, and also to,
19 *inter alia*, the Navy's:

20 A. questioning, without good cause, the legitimacy of
21 Plaintiff's workers' compensation claims,

22 B. questioning, without good cause, the existence of
23 her injuries,

24 C. falsely denying that records had been received
25 from Plaintiff's doctor(s),

26 D. refusing to accept Plaintiff's doctors reports and
27 recommendations concerning Plaintiff's medical condition,

28 E. refusing, without good cause, to allow Plaintiff

1 and her doctor sufficient time to produce medical verifications,
2 F. threatening, without cause, to place Plaintiff on
3 an absence without leave (AWOL) status,

4 G. actually placing Plaintiff in an AWOL status
5 without good cause and without prior warning,

6 H. ignoring Plaintiff's complaints concerning the ill
7 treatment she was being afforded and her hostile work
8 environment,

9 I. failing to grant Plaintiff reasonable
10 accommodation in light of her medical condition(s),

11 J. refusing, on multiple occasions, to give Plaintiff
12 "pay points" or cash bonuses,

13 K. making false statements and/or filing false
14 reports with administrative officials concerning the nature of
15 Plaintiff's work duties and/or the nature of accommodations
16 allegedly offered Plaintiff,

17 L. refusing to update and/or modify Plaintiff's job
18 objectives, standards and goals in light of Plaintiff's medical
19 conditions,

20 M. creating a hostile work environment for Plaintiff,

21 N. assigning to Plaintiff work tasks that were beyond
22 her physical capabilities and/or contrary to the limitations
23 placed on Plaintiff by her physicians,

24 O. wrongfully delaying the processing of Plaintiff's
25 claims for workers' compensation, *inter alia*,

26 P. improperly downgrading Plaintiff on her
27 performance appraisals,

28 Q. subjecting Plaintiff to differential standards of

1 conduct,

2 R. changing Plaintiff's physical work location so as
3 to isolate Plaintiff and make more difficult the performance of
4 her job duties,

5 S. improperly interpreting Plaintiff's stress
6 disability, brought about by a hostile work environment, as a
7 mental instability and thereafter placing Plaintiff on
8 administrative leave,

9 T. improperly interpreting Plaintiff's work-related
10 stress disability as a mental instability and thereafter stating
11 she was a security risk and making improper efforts to have her
12 security clearance revoked, and

13 U. suspending Plaintiff.

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15 **FIRST CAUSE OF ACTION**

16 **DISABILITY DISCRIMINATION IN EMPLOYMENT**
17 **IN VIOLATION OF FEDERAL LAW**
18 **(THIRD ADMINISTRATIVE COMPLAINT**
RE ISOLATION AND BANISHMENT FROM THE WORKPLACE)

19 20. Plaintiff realleges and incorporates herein by
20 reference, as though set forth in full, each and every allegation
21 contained in each and every preceding paragraph of this
22 Complaint.

23 21. The foregoing acts, and particularly those referred to,
24 *supra*, in paragraphs 19H, 19I, 19R, 19S, and 19T, were a form of
25 disability discrimination and retaliation for Plaintiff's having
26 filed earlier administrative complaints of discrimination and, as
27 such were a violation of the Rehabilitation Act of 1973, 29
28 U.S.C. 701 et seq.

1 22. As a proximate result of the aforementioned acts and
2 omissions, Plaintiff has suffered and further continues to suffer
3 substantial losses in earnings, and other employment-related
4 benefits which Plaintiff would have otherwise received, and has
5 suffered, and continues to suffer, embarrassment, humiliation,
6 and anguish, all to Plaintiff's damage in an amount unknown at
7 this time, but which will be shown according to proof to be
8 presented at the time of trial.

9 WHEREFORE, Plaintiff requests damages as prayed for below.

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11 **SECOND CAUSE OF ACTION**

12 **DISABILITY DISCRIMINATION IN EMPLOYMENT**
13 **IN VIOLATION OF FEDERAL LAW**
14 **(FOURTH ADMINISTRATIVE COMPLAINT**
 RE PERFORMANCE RATINGS)

15 23. Plaintiff realleges and incorporates herein by
16 reference, as though set forth in full, each and every allegation
17 contained in each and every preceding paragraph of this
18 Complaint.

19 24. The foregoing acts, and particularly those referred to,
20 *supra*, in paragraphs 19I, 19K, 19L, 19N, 19P, 19Q, and 19R were a
21 form of disability discrimination and retaliation for Plaintiff's
22 having filed earlier administrative complaints of discrimination
23 and, as such were a violation of the Rehabilitation Act of 1973,
24 29 U.S.C. 701 et seq.

25 25. As a proximate result of the aforementioned acts and
26 omissions, Plaintiff has suffered and further continues to suffer
27 substantial losses in earnings, and other employment-related
28 benefits which Plaintiff would have otherwise received, and has

1 suffered, and continues to suffer, embarrassment, humiliation,
2 and anguish, all to Plaintiff's damage in an amount unknown at
3 this time, but which will be shown according to proof to be
4 presented at the time of trial.

5 WHEREFORE, Plaintiff requests damages as prayed for below.

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7 **THIRD CAUSE OF ACTION**

8 **DISABILITY DISCRIMINATION IN EMPLOYMENT**
9 **IN VIOLATION OF FEDERAL LAW**
10 **(FIFTH ADMINISTRATIVE COMPLAINT**
11 **REASSIGNMENT OF DUTIES)**

12 26. Plaintiff realleges and incorporates herein by
13 reference, as though set forth in full, each and every allegation
14 contained in each and every preceding paragraph of this
15 Complaint.

16 27. The foregoing acts, and particularly those referred to,
17 *supra*, in paragraphs 19D, 19N, and 19Q were a form of disability
18 discrimination and retaliation for Plaintiff's having filed
19 earlier administrative complaints of discrimination and, as such
20 were a violation of the Rehabilitation Act of 1973, 29 U.S.C. 701
21 et seq.

22 28. As a proximate result of the aforementioned acts and
23 omissions, Plaintiff has suffered and further continues to suffer
24 substantial losses in earnings, and other employment-related
25 benefits which Plaintiff would have otherwise received, and has
26 suffered, and continues to suffer, embarrassment, humiliation,
27 and anguish, all to Plaintiff's damage in an amount unknown at
28 this time, but which will be shown according to proof to be
presented at the time of trial.

1 WHEREFORE, Plaintiff requests damages as prayed for below.

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3 **FOURTH CAUSE OF ACTION**

4 **DISABILITY DISCRIMINATION IN EMPLOYMENT**
5 **IN VIOLATION OF FEDERAL LAW**
6 **(SIXTH ADMINISTRATIVE COMPLAINT**
7 **RE SUSPENSION WITHOUT PAY)**

8 29. Plaintiff realleges and incorporates herein by
9 reference, as though set forth in full, each and every allegation
10 contained in each and every preceding paragraph of this
11 Complaint.

12 30. The foregoing acts, and particularly those referred to,
13 *supra*, in paragraph 19U, were a form of disability discrimination
14 and retaliation for Plaintiff's having filed earlier
15 administrative complaints of discrimination and, as such were a
16 violation of the Rehabilitation Act of 1973, 29 U.S.C. 701 et
17 seq.

18 31. As a proximate result of the aforementioned acts and
19 omissions, Plaintiff has suffered and further continues to suffer
20 substantial losses in earnings, and other employment-related
21 benefits which Plaintiff would have otherwise received, and has
22 suffered, and continues to suffer, embarrassment, humiliation,
23 and anguish, all to Plaintiff's damage in an amount unknown at
24 this time, but which will be shown according to proof to be
25 presented at the time of trial.

26 WHEREFORE, Plaintiff requests damages as prayed for below.

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FIFTH CAUSE OF ACTION

LOSS OF CONSORTIUM

32. Plaintiff GENE R. COBB, based on information and belief, hereby realleges and incorporates herein by reference, as though set forth in full, each and every allegation contained in each and every preceding paragraph of this Complaint.

33. This Cause of Action is solely that of GENE R. COBB.

34. Plaintiff, GENE R. COBB, has exhausted his administrative remedies in that he has filed a Tort Claim concerning the events referred to herein.

35. Defendants, by their acts and omissions, as alleged herein, caused psychological and emotional injury to LORNA COBB, the wife of GENE R. COBB.

36. Prior to sustaining the psychological and emotional injuries described herein, LORNA COBB, was able to and did perform her duties as a wife. Subsequent to the injuries and as a proximate result thereof, LORNA COBB was unable to perform the necessary duties as a wife and the work and services usually performed by her in the care, maintenance, and management of the family home. By reason thereof, GENE R. COBB has been deprived and will be deprived of the consortium of his spouse, LORNA COBB, including the performance of his spouse's necessary duties, all to GENE R. COBB'S damage in an amount to be proven at trial.

37. Wherefore Plaintiff GENE R. COBB prays for relief as follows.

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PRAYER FOR RELIEF

WHEREFORE, Plaintiffs prays for damages from Defendant as follows:

1. That Plaintiff LORNA L. COBB be restored to the position she held prior to her suspension or to a comparable position, that reasonable accommodations be made with regard to her medical condition, that she be made whole and be afforded all benefits attended thereto that would have been afforded her but for the aforementioned acts and/or omissions of Defendants;

2. For general damages according to proof at trial;

3. For special damages according to proof at trial;

4. For exemplary and/or punitive damages according to proof at trial;

5. For double, treble, and/or penalty damages as may be permitted by law;

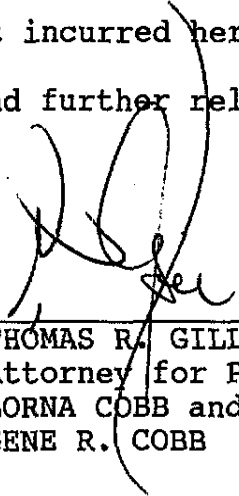
6. For prejudgment interest on the sums awarded according to proof at trial;

7. For an award of reasonable attorney's fees according to proof at trial;

8. For all costs of suit incurred herein;

9. For all such other and further relief as the Court may deem proper.

DATED: March 14, 1997




THOMAS R. GILL, ESQ.
Attorney for Plaintiffs
LORNA COBB and
GENE R. COBB

VERIFICATION

I, LORNA L. COBB, am a Plaintiff in the above-entitled action. I have read the foregoing Complaint and know the contents thereof. The same is true of my own knowledge, except as to those matters which are therein alleged on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on March 12, 1997, in San Diego, California.


LORNA L. COBB
Plaintiff

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VERIFICATION

I, GENE R. COBB, am a Plaintiff in the above-entitled action. I have read the foregoing Complaint and know the contents thereof. The same is true of my own knowledge, except as to those matters which are therein alleged on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on March 12, 1997, in San Diego, California.



GENE R. COBB
Plaintiff

United States District Court

Southern

DISTRICT OF

California

LORNA L. COBB AND
GENE R. COBB,

SUMMONS IN A CIVIL ACTION

v.

CASE NUMBER: '97 CV 0428 J (RBB)

JOHN H. DALTON, in his
official capacity as
Secretary of the Navy.

TO: (Name and address of Defendant)

JOHN H. DALTON, Secretary of the Navy
1000 Navy Pentagon
Washington, D.C. 20350-1000

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

THOMAS R. GILL, ESQ.
10455 Sorrento Valley Road, Suite 203
San Diego, CA 92121
(619) 286-9393

an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

Robert Westdal

SEAL

CLERK

DATE

R. F. MESSIG

BY DEPUTY CLERK

JS 44
(Rev. 07/89)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by local rules of court, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I (a) PLAINTIFFS

LORNA L. COBB and
GENE R. COBB

DEFENDANTS

JOHN H. DALTON,
in his official capacity
as Secretary of the Navy
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY

MAR 14 1997

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF San Diego
(EXCEPT IN U.S. PLAINTIFF CASES)COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Thomas R. Gill, Esq.
10455 Sorrento Valley Rd., Ste 203
San Diego, CA 92121
(619) 286-9393

ATTORNEYS (IF KNOWN)

U.S. Attorney
for the Southern District
of California

'97 CV 0428B (POR)

II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
☒ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (For Diversity Cases Only)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY: Disability Discrimination in Employment (Rehabilitation Act of 1973, 29 U.S.C. 701 et seq.) Loss of Consortium.
Statement of Cause: Disability Discrimination under ADA.

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 990 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights X-442	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights		

VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify) _____
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION
☐ UNDER F.R.C.P. 23

DEMAND \$

Check YES only if demanded in complaint.

JURY DEMAND: ☒ YES ☐ NOVIII. RELATED CASE(S) (See instructions):
IF ANY

JUDGE _____ DOCKET NUMBER _____

DATE March 14, 1997

SIGNATURE OF ATTORNEY OF RECORD

UNITED STATES DISTRICT COURT

AS 28740
 150330